

Russell Busch
MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN PLLC
800 S. Gay Street, Suite 1100
Knoxville, TN 37929
Tel: (630) 796-0903
rbusch@milberg.com

*Attorney for Plaintiffs
and the Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUSTIN DAVIS and GARY DAVIS,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

HP, INC.,

Defendant.

Case No. 4:23-cv-02114-YGR

**JOINT MOTION AND STIPULATION RE:
DEFENDANT'S MOTION TO DISMISS
BRIEFING SCHEDULE; AND ~~PROPOSED~~
ORDER**

Hon. Yvonne Gonzalez Rogers

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Justin Davis and Gary Davis (“Plaintiffs”) and Defendant HP Inc. (“HP”) (collectively, the “Parties”), by and through their respective counsel, as follows:

WHEREAS, on November 16, 2023, the Court set a scheduling order for Plaintiffs’ First Amended Complaint and Defendant’s then-anticipated Motion to Dismiss Plaintiffs’ First Amended Complaint;

WHEREAS, on November 22, 2023, Plaintiffs filed their First Amended Complaint (Dkt. No. 31);

WHEREAS, on December 13, 2023, Defendant filed its motion to dismiss (Dkt. No. 32) (the “the MTD”);

WHEREAS, due to counsel’s holiday travel and attorney illness, the Parties agreed to the need to extend the current MTD briefing schedule;

NOW, THEREFORE, the Parties hereby jointly move the Court to modify the scheduling order deadlines as follows:

Briefing Schedule	Current Date	Proposed New Date
Plaintiffs’ Opposition to Defendant’s Motion to Dismiss	January 3, 2024	January 9, 2024
Defendant’s Reply in Support of Motion to Dismiss	January 16, 2024	January 23, 2024
Hearing on Defendant’s Motion to Dismiss	January 30, 2024	February 6, 2024

1 Dated: January 2, 2024

**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN PLLC**

4 By: /s/ Russell Busch
Russell Busch
Attorney for Plaintiffs

8 Dated: January 2, 2024

K&L GATES LLP

10 By: /s/ Andrew J. Wu
Andrew J. Wu
Michael J. Stortz
Attorneys for Defendant HP Inc.

14 SIGNATURE ATTESTATION

15 Pursuant to Civil Local Rule 5-1(h)(3), the undersigned hereby attests that all signatories on
16 whose behalf this filing is submitted concur in the filing of this document.

18 Dated: January 2, 2024

By: /s/ Russell Busch
Russell Busch


~~[PROPOSED]~~ ORDER

Having reviewed the Parties' Joint Motion and Stipulation, and for good cause shown, the Court hereby orders as follows:

The briefing schedule set out in the parties' January 2 Motion and Stipulation is hereby adopted.

IT IS SO ORDERED.

DATED: January 4, 2023


Hon. Yvonne Gonzalez Rogers
UNITED STATES DISTRICT JUDGE